IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2682 OF 2005

Mr. Shaikh Mohmad Usman Hullan. ... Petitioner.

Versus

State of Maharashtra & Ors. .... Respondents.

Mr. S. D. Patil for the Petitioner.

Mr. S. M. Sabrad for Respondent No.5.

CORAM: DALVEER BHANDARI, C.J. &
S. A. BOBDE, J.

DATED : MAY 2, 2005.

P.C. :

The petitioner has approached this Court with the prayer that acquisition of petitioner's land admeasuring about 3131.25 sq. meters and 1241.00 sq. meters both situated at Survey No. 118/2 pt. at Village Malegaon, Taluka Malegaon have lapsed. It is also

prayed that the respondents be directed to complete the acquisition proceedings and pay compensation to the petitioner in respect of their land mentioned above.

2. In pursuance to the show cause notice, respondent No.5 has filed reply affidavit. In the affidavit it is indicated that the cost of the land is about Rs.50 lakhs and due to weak financial condition of the respondent Corporation, the respondent Corporation is not in a position to acquire the land and therefore no steps whatsoever have been taken for acquisition of the said land by the Corporation. In view of the categoric reply submitted by respondent No.5, in which they have clearly indicated that no steps are being taken for acquisition of the said land of the petitioner, no further directions are necessary. This petition is, accordingly, disposed of.

Sd/-

CHIEF JUSTICE

Sd/-

S. A. BOBDE, J.